

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

WHEELING ISLAND GAMING, INC.,

Plaintiff,

v.

Civil Action No. 5:06CV104
(STAMP)

PATENTED PRINTING, INC. and
THE RELIZON COMPANY,

Defendants.

**ORDER SCHEDULING HEARING ON PLAINTIFF'S MOTION TO CONTINUE
DEADLINE TO DESIGNATE REBUTTAL EXPERT WITNESSES, OR IN THE
ALTERNATIVE, TO STRIKE DEFENDANT'S EXPERT WITNESS**

On July 6, 2007, the plaintiff, Wheeling Island Gaming, Inc., filed a motion to continue the deadline to designate expert witnesses, or in the alternative, to strike the defendant's expert witness. In support of its motion, the plaintiff states that the defendant, Patented Printing, Inc., has not disclosed any reports containing a statement of the opinions to be expressed by their expert witness as required by Federal Rule of Civil Procedure 26(a)(2)(B). Because the deadline for disclosure of rebuttal witnesses is July 11, 2007, this Court finds that a hearing on the plaintiff's motion would be beneficial. Accordingly, the parties are directed to appear by counsel for a hearing on plaintiff's motion to continue the deadline to designate expert witnesses, or in the alternative, to strike the defendant's expert witness on July 10, 2007 at 1:30 p.m. at the Wheeling point of holding court.

The Court will permit those out-of-town attorneys having their offices further than forty miles from the point of holding court to participate in the conference by telephone. However, any such attorney shall advise the Court prior to the conference of his or her intention to participate by telephone and shall (1) inform all counsel of his or her appearance by telephone; (2) confer with other out-of-town attorneys to determine if they wish to appear by telephone; (3) advise the Court of the name of the attorney who will initiate the conference call and all such attorneys appearing by telephone; and (4) initiate a timely conference telephone call with such attorneys to the Court at 304/233-1120 at the time of the scheduled conference. If the attorneys cannot reach agreement as to the initiator of the call, the Court will make that determination.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: July 9, 2007

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE